

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

**SENATE, No. 1856**

# **STATE OF NEW JERSEY**

DATED: DECEMBER 20, 2010

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1856 (1R).

The bill would authorize the Ocean County Planning Board, in conjunction with each municipality within the Barnegat Bay watershed, to develop a stormwater and nonpoint source pollution management plan for the watershed. The stormwater management and nonpoint source pollution plan would be designed to reduce siltation and prevent pollution caused by stormwater runoff or nonpoint sources that could degrade the water quality of the Barnegat Bay and its tributaries, interfere with water-based recreation, or adversely affect aquatic, estuarine, and marine life. The goals and purposes of the plan would be to improve the quality of stormwater runoff entering the Barnegat Bay, identify cost effective measures to control stormwater runoff and nonpoint source pollution, and identify funding mechanisms for implementation of such measures. The bill would require that the plan identify existing stormwater control facilities and any other drainage structure, pipe, culvert or other facility used to control or carry stormwater runoff or nonpoint source pollution, assess the efficacy of existing such facilities, identify the need for additional such facilities, and estimate the costs for any improvements, repairs or new facilities.

The plan would include a formula for the assessment of a fee for any new development within the Barnegat Bay watershed to be paid to the Ocean County Planning Board for the improvement, maintenance, repair, or construction of stormwater control facilities and any other drainage structure, pipe, culvert or other facility used to control stormwater runoff or nonpoint source pollution to assure that new development results in a net positive impact on the water quality of the bay and to create a program to provide incentives to property owners with existing development within the watershed to reduce stormwater runoff from their property. The formula would be based upon the size of the development and the extent to which the development increases the impervious cover on the site.

The bill would allow the Ocean County Planning Board to assess a fee in an amount based upon the formula developed under the bill,

upon any developer who receives a municipal approval of an application for development under the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) in the Barnegat Bay watershed.

This bill is identical to Assembly Bill No. 2606 (1R).

FISCAL IMPACT:

There is no fiscal impact on public funds under the bill because the management plan authorized therein is voluntary and therefore requires no mandated public funds to be used for implementation purposes. Furthermore, a fee can be charged by the Ocean County Planning Board to finance a stormwater runoff reduction program if one is established pursuant to the bill.